

EXHIBIT B

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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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IN RE: NATIONAL PRESCRIPTION MDL No. 2804  
OPIATE LITIGATION

Case No. 17-md-2804

Judge Dan Aaron

This document relates to: Polster

The County of Cuyahoga v. Purdue  
Pharma L.P., et al.  
Case No. 18-OP-45090

City of Cleveland, Ohio v. Purdue  
Pharma L.P., et al  
Case No. 18-OP-45132

The County of Summit, Ohio, et al.  
v. Purdue Pharma L.P., et al.  
Case No. 17-OP-45004

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Volume III
Continued deposition of
PATRICK LEONARD

May 23, 2019

8:01 a.m.

Taken at:

Ulmer & Berne

1660 W. 2nd Street, Suite 1100

Cleveland, Ohio

Renee L. Pellegrino, RPR, CLR

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1 for DEA and DOJ, have you spoken with anyone
2 about this case since last we saw you?

3 A. No, sir.

4 Q. How many investigations, sir, have
5 you worked on while assigned to the TDS?

6 A. I have no idea.

7 Q. Well, is it more than ten?

8 A. Yes.

9 Q. Is it more than a hundred?

10 A. Doubtful, no.

11 Q. It is more than 50?

12 A. It could be close to 50.

13 Q. And for how many of those were you
14 the lead agent?

15 A. Maybe a third.

16 Q. And who determines whether you're --
17 or how is it determined whether you're the lead
18 agent or an assisting agent on any particular
19 investigation?

20 A. One is if I get the complaint, if I
21 start it and run with it. Some of the ones that
22 I was the lead on were because they were City of
23 Akron cases that I charted and did through the
24 DEA, so those -- I would be lead on all of
25 those. Or if referrals came from either Denise

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1 Q. And did you contact any distributors
2 of medications and say they shouldn't distribute
3 to pharmacies where Dr. Harper might be writing
4 prescriptions?

5 A. No. I had conversations with
6 pharmacists who would ask me if they should fill
7 for Dr. Harper, and I would tell them straight
8 up that if you feel this is a legitimate
9 prescription for a legitimate medical purpose,
10 then you can fill it; if you think this is an
11 overprescribing physician, it's your name and
12 your reputation and your business that's going
13 to be liable. And that was the extent of it.
14 Let them make the decision whether they felt it
15 was necessary or legal to fill the prescription.

16 Q. Did a pharmacist ever ask you how
17 you define medical prescription for a legitimate
18 medical purpose?

19 MR. BENNETT: Objection. Scope.
20 You can answer.

21 A. No.

22 Q. How do you define legitimate medical
23 prescription for a legitimate medical purpose?

24 MR. BENNETT: Objection. Vague.
25 Scope.

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1 You can answer.

2 A. Again, this is why we need a medical
3 expert when we do these cases, but when you're
4 writing for the holy trinity, and I've got
5 patients from offices that have died from
6 overdoses, I think common sense dictates on some
7 of it that some of the pharmacists should be
8 able to see what the prescriptions are and
9 refuse to fill.

10 Q. I didn't follow writing for the holy
11 trinity.

12 A. Holy trinity was when they're
13 getting 180 oxycodone, 90 methadone and 90 Xanax
14 all from the same doctor every month on the same
15 script, same three scripts.

16 Q. Other than that?

17 MR. LEDLIE: Object to the form.
18 Vague.

19 A. Other than that, what?

20 Q. So I take it you would, in your view
21 the -- well, let me ask it this way: Is the
22 holy trinity -- could that ever be for
23 legitimate medical purposes?

24 MR. BENNETT: Objection.

25 A. Again, I'm not a medical -- I'm not

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1 they're not supposed to be.

2 Q. We can agree that the pharmacist
3 doesn't have the blood test results for the
4 individual patient?

5 MR. LEDLIE: Objection to the form.
6 Calls for speculation.

7 A. Yes, we can agree the pharmacist
8 doesn't have that information.

9 Q. We can agree that distributors of
10 the pharmaceuticals don't have the medical
11 records of the patients who are being prescribed
12 medications?

13 A. I would agree with that, yes.

14 Q. And neither do the manufacturers of
15 the medications?

16 A. And I would agree with that as well.

17 Q. The Harper case, did that get
18 started on a tip from a pharmacist?

19 MR. LEDLIE: Object to the form of
20 the question and objection to the extent it
21 calls for the divulging of any non-public police
22 investigative techniques.

23 MR. BENNETT: Objection. Scope. I
24 would join counsel.

25 MR. BLOCK: This is a closed case